

**Rider Comparison Packet**

**Conference Committee on House Bill 1**

**2020-21 General Appropriations Bill**

**Article III – Public Education**

# TEXAS EDUCATION AGENCY

Differences Only - Excludes Capital

## House

**3. Foundation School Program Funding.** Out of the funds appropriated above, a total of \$25,830,335,602 in fiscal year 2020 and \$26,169,635,602 in fiscal year 2021 shall represent the sum-certain appropriation to the Foundation School Program. The total appropriation may not exceed the sum-certain amount. This appropriation includes allocations under Chapters 41, 42 and 46 of the Texas Education Code.

Formula Funding: The Commissioner shall make allocations to local school districts under Chapters 41, 42 and 46 based on:

- (a) estimates of average daily attendance provided by the Texas Education Agency in March 2019;
- (b) local district tax rates as determined by the Legislative Budget Board;
- (c) final tax year 2018 property values;
- (d) and assumed increases in property values, and the estimates of local tax collections on which they are based, as estimated by the Comptroller of Public Accounts, of 6.19 percent for tax year 2019 and by 4.07 percent for tax year 2020.

To the extent that estimates provided for in subsections (a) - (d) above differ from a school district's actual average daily attendance, tax rates, property values, or local tax collections, the Commissioner shall settle-up with local school districts pursuant to Rider 7, Appropriation of Audit Adjustments, Settle-Up Funds and Attendance Credit Revenues and applicable provisions in Chapters 41, 42, and 46 of the Education Code.

For purposes of distributing the Foundation School Program basic tier state aid appropriated above and in accordance with §42.101 of the Texas Education Code, the Basic Allotment is established at \$5,140 in fiscal year 2020 and \$5,140 fiscal year 2021.

For purposes of distributing the Foundation School Program enrichment tier state aid appropriated above and in accordance with §41.002(a)(2) and §42.302(a-1)(1) of the Texas Education Code, the Guaranteed Yield is \$126.88 in fiscal year 2020 and \$135.92 in fiscal year 2021.

Included in amounts appropriated above and allocated by this rider to the Foundation School Program, \$23,750,000 in each fiscal year of the biennium out of the Foundation School Fund No. 193 is for the New Instructional Facilities Allotment under §42.158 of the Texas Education Code.

## Senate

**3. Foundation School Program Funding.** In addition to funds appropriated above, the Foundation School Program is funded with local school district tax revenue. Local school district tax rates are adopted by locally elected school board trustees. Local school property tax rates are not set by the Legislature.

Out of the funds appropriated above, a total of \$26,106,585,602 in fiscal year 2020 and \$26,233,885,602 in fiscal year 2021 shall represent the sum-certain appropriation to the Foundation School Program. The total appropriation may not exceed the sum-certain amount. This appropriation includes allocations under Chapters 41, 42 and 46 of the Texas Education Code.

Formula Funding: The Commissioner shall make allocations to local school districts under Chapters 41, 42 and 46 based on:

- (a) estimates of average daily attendance provided by the Texas Education Agency in March 2019;
- (b) locally adopted local district tax rates as reported by the Comptroller of Public Accounts;
- (c) final tax year 2018 property values;
- (d) and assumed increases in property values, and the estimates of local tax collections on which they are based, as estimated by the Comptroller of Public Accounts, of 6.19 percent for tax year 2019 and by 4.07 percent for tax year 2020.

The estimates identified in subsections (a) - (d) are projections provided by the Comptroller of Public Accounts and Texas Education Agency and used solely to determine initial state aid payments to school districts, and do not factor into the calculations of local tax base changes. Actual property value changes are determined by local appraisal districts. To the extent that estimates provided for in subsections (a) - (d) above differ from a school district's actual average daily attendance, tax rates, property values, or local tax collections, the Commissioner shall settle-up with local school districts pursuant to Rider 7, Appropriation of Audit Adjustments, Settle-Up Funds and Attendance Credit Revenues and applicable provisions in Chapters 41, 42, and 46 of the Education Code.

For purposes of distributing the Foundation School Program basic tier state aid appropriated above and in accordance with §42.101 of the Texas Education Code, the Basic Allotment is established at \$5,140 in fiscal year 2020 and \$5,140 fiscal year 2021.

## TEXAS EDUCATION AGENCY

Differences Only - Excludes Capital  
(Continued)

### House

Included in amounts appropriated above and allocated by this rider to the Foundation School Program, \$37,500,000 in fiscal year 2020 and \$37,500,000 in fiscal year 2021 out of the Foundation School Fund No. 193 is for adjustments due to rapid property value decline pursuant to §42.2521 of the Texas Education Code.

From the amount appropriated above to the Texas Education Agency for Strategy A.1.1, FSP - Equalized Operations, in each year of the 2020-21 biennium, the Commissioner may not spend more than the amount that, together with all other amounts appropriated from the Foundation School Fund or another source of the Foundation School Program or for paying the costs of school property tax relief, is necessary to achieve a state compression percentage, as defined by Section 42.2516, Texas Education Code, of 66.67 percent and fully fund the school funding formulas under Chapters 41 and 42, Texas Education Code, without the prior approval of the Legislative Budget Board.

Notwithstanding any other provision of this Act, the Texas Education Agency may make transfers as appropriate between Strategy A.1.1, FSP - Equalized Operations, and Strategy A.1.2, FSP - Equalized Facilities. The TEA shall notify the Legislative Budget Board and the Governor of any such transfers at least 15 days prior to the transfer.

To the extent necessary to avoid reductions in state aid as authorized by Texas Education Code §42.253(h), the Commissioner of Education is authorized to transfer Foundation School Program funds from fiscal year 2021 to 2020 only upon the approval of the Legislative Budget Board and the Governor's Office. The request to transfer Foundation School Program funds from fiscal year 2021 to 2020 shall be considered to be approved unless the Legislative Budget Board or the Governor issues a written disapproval within 30 business days after the date on which the staff of the Legislative Budget Board concludes its review of the request to transfer appropriations and forwards its review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor. Any requests for additional information made by the Legislative Budget Board shall suspend the counting of the 30 business days.

The Texas Education Agency shall submit reports on the prior month's expenditures on programs described by this rider no later than the 20th day of each month to the Legislative Budget Board and the Governor's Office in a format determined by the Legislative Budget Board in cooperation with the agency.

### Senate

For purposes of distributing the Foundation School Program enrichment tier state aid appropriated above and in accordance with §41.002(a)(2) and §42.302(a-1)(1) of the Texas Education Code, the Guaranteed Yield is \$126.88 in fiscal year 2020 and \$135.92 in fiscal year 2021.

Included in amounts appropriated above and allocated by this rider to the Foundation School Program, \$26,000,000 in each fiscal year of the biennium out of the Foundation School Fund No. 193 is for the New Instructional Facilities Allotment under §42.158 of the Texas Education Code.

Included in amounts appropriated above and allocated by this rider to the Foundation School Program, \$37,500,000 in fiscal year 2020 and \$37,500,000 in fiscal year 2021 out of the Foundation School Fund No. 193 is for adjustments due to rapid property value decline pursuant to §42.2521 of the Texas Education Code.

From the amount appropriated above to the Texas Education Agency for Strategy A.1.1, FSP - Equalized Operations, in each year of the 2020-21 biennium, the Commissioner may not spend more than the amount that, together with all other amounts appropriated from the Foundation School Fund or another source of the Foundation School Program or for paying the costs of school property tax relief, is necessary to achieve a state compression percentage, as defined by Section 42.2516, Texas Education Code, of 66.67 percent and fully fund the school funding formulas under Chapters 41 and 42, Texas Education Code, without the prior approval of the Legislative Budget Board.

Notwithstanding any other provision of this Act, the Texas Education Agency may:

(a) make transfers as appropriate between Strategy A.1.1, FSP - Equalized Operations, and Strategy A.1.2, FSP - Equalized Facilities; and

(b) transfer Foundation School Program funds from fiscal year 2021 to 2020 to the extent necessary to avoid reductions in state aid as authorized by Texas Education Code §42.253(h).

The TEA shall notify the Legislative Budget Board and the Governor of any such transfers at least 15 days prior to the transfer.

The Texas Education Agency shall submit reports on the prior month's expenditures on programs described by this rider no later than the 20th day of each month to the Legislative Budget Board

# TEXAS EDUCATION AGENCY

Differences Only - Excludes Capital  
(Continued)

## House

Contingent on the Commissioner of Education identifying a budget surplus of Foundation School Program funds appropriated above in either fiscal year of the 2020-21 biennium, the Commissioner shall notify the Legislative Budget Board and the Office of the Governor in writing no later than 30 calendar days before taking any action pursuant to the Education Code §§42.2517, 7.062, 42.2521, 42.2522, 42.2523, 42.2524, or 42.2528.

- 10. State Level Professional Development for School Personnel and Parents of Students with Autism.** It is the intent of the Legislature that the Texas Education Agency continue to implement state level professional development for school personnel and parents of students with autism. A sum not to exceed \$200,000 in each fiscal year shall be expended for this purpose.

- 29. Regional Education Service Center Dyslexia and Related Disorders Coordinators.** Out of the funds appropriated above in Strategy A.2.3, Students with Disabilities, the Commissioner of Education shall allocate \$275,000 (\$125,000 per year of General Revenue and \$150,000 per year of federal IDEA discretionary funds) in each year of the biennium to assist the joint program of coordinators for dyslexia and related disorders services at the Regional Education Service Centers pursuant to §38.003 of the Texas Education Code. The joint program shall not include regulatory oversight functions. The Regional Education Service Centers shall ensure that the program uses resources efficiently to provide a coordinator to any school district or charter school that needs one.

## Senate

and the Governor's Office in a format determined by the Legislative Budget Board in cooperation with the agency.

Contingent on the Commissioner of Education identifying a budget surplus of Foundation School Program funds appropriated above in either fiscal year of the 2020-21 biennium, the Commissioner shall notify the Legislative Budget Board and the Office of the Governor in writing no later than 30 calendar days before taking any action pursuant to the Education Code §§7.062, 42.2517, 42.2521, 42.2522, 42.2523, 42.2524, or 42.2528.

- 10. State Level Professional Development for School Personnel and Parents of Students with Autism.** It is the intent of the Legislature that the Texas Education Agency continue to implement state level professional development for school personnel and parents of students with autism, including a focus on identification of such students. A sum not to exceed \$200,000 in each fiscal year shall be expended for this purpose.

- 29. Regional Education Service Center Dyslexia and Related Disorders Coordinators.** Out of the funds appropriated above in Strategy A.2.3, Students with Disabilities, the Commissioner of Education shall allocate \$275,000 (\$125,000 per year of General Revenue and \$150,000 per year of federal IDEA discretionary funds) in each year of the biennium to assist the joint program of coordinators for dyslexia and related disorders services at the Regional Education Service Centers pursuant to §38.003 of the Texas Education Code. The joint program shall not include regulatory oversight functions, but shall include as a required element the proper identification of students with dyslexia. The Regional Education Service Centers shall ensure that the program uses resources efficiently to provide a coordinator to any school district or charter school that needs one.

# TEXAS EDUCATION AGENCY

Differences Only - Excludes Capital  
(Continued)

## House

**39. Capital Budget Expenditures from Federal and Other Funding Sources.** The Texas Education Agency is hereby exempted from the capital budget rider provisions contained in Article IX of this Act when gifts, grants, inter-local funds, and federal funds are received in excess of the amounts identified in the agency's capital budget rider and such funds are designated by the donor, grantor, or federal agency for the purchase of specific capital items.

Amounts expended from these funding sources shall not count against the limitation imposed by capital budget provisions elsewhere in this Act. The TEA shall notify the Legislative Budget Board and the Governor upon receipt of such funds of the amount received and the planned expenditures. It is the intent of the Legislature that projects funded in any part under the authority of this rider not be exempt from any requirements of the Quality Assurance Team.

**41. Educator Quality and Leadership.** Out of General Revenue Funds appropriated above in Strategy B.3.1, Improving Educator Quality and Leadership, the Commissioner shall expend \$14,375,000 in fiscal year 2020 and \$14,375,000 in fiscal year 2021 for initiatives that will systematically transform educator quality and effectiveness statewide through improved teacher and principal hiring and recruitment, mentoring, preparation including standards related to educator preparation and program quality, induction, evaluation, professional development, including micro-credential certification programs, career pathways, and retention; or for the purpose of administering the Educator Excellence Innovation Program in accordance with Texas Education Code Chapter 21, Subchapter O. The Commissioner shall ensure that funds directed by this rider are allocated in a manner that maximizes receipt of federal grant funding for similar purposes.

From amounts referenced in the paragraph above, the Commissioner shall set aside funds for the following purposes:

- a. \$5,000,000 for the 2020-21 biennium to implement standards on educator quality, including standards related to educator preparation and principal quality;
- b. \$2,000,000 for the 2020-21 biennium for Humanities Texas to support the Teacher Institute program targeting teachers in their first or second year of service in geographic areas with low

## Senate

**39. Capital Budget Expenditures from Federal and Other Funding Sources.** The Texas Education Agency is hereby exempted from the capital budget rider provisions contained in Article IX of this Act when gifts, grants, inter-local funds, and federal funds are received in excess of the amounts identified in the agency's capital budget rider and such funds are designated by the donor, grantor, or federal agency for the purchase of specific capital items, limited to projects related to revision of major state data systems.

Amounts expended from these funding sources shall not count against the limitation imposed by capital budget provisions elsewhere in this Act. The TEA shall notify the Legislative Budget Board and the Governor upon receipt of such funds of the amount received and the planned expenditures. It is the intent of the Legislature that projects funded in any part under the authority of this rider not be exempt from any requirements of the Quality Assurance Team.

**41. Educator Quality and Leadership.** Out of General Revenue Funds appropriated above in Strategy B.3.1, Improving Educator Quality and Leadership, the Commissioner shall expend \$14,500,000 in fiscal year 2020 and \$14,500,000 in fiscal year 2021 for initiatives that will systematically transform educator quality and effectiveness statewide through improved teacher and principal hiring and recruitment, mentoring, preparation including standards related to educator preparation and program quality, induction, evaluation, professional development, career pathways, and retention; or for the purpose of administering the Educator Excellence Innovation Program in accordance with Texas Education Code Chapter 21, Subchapter O. The Commissioner shall ensure that funds directed by this rider are allocated in a manner that maximizes receipt of federal grant funding for similar purposes.

From amounts referenced in the paragraph above, the Commissioner shall set aside funds for the following purposes:

- a. \$5,000,000 for the 2020-21 biennium to implement standards on educator quality, including standards related to educator preparation and principal quality;
- b. \$2,000,000 for the 2020-21 biennium for Humanities Texas to support the Teacher Institute program targeting teachers in their first or second year of service in geographic areas with low student achievement on state assessments; and

# TEXAS EDUCATION AGENCY

Differences Only - Excludes Capital

(Continued)

## House

student achievement on state assessments; and

- c. \$14,500,000 for the 2020-21 biennium to support Innovative Programs that support educator development or increase achievement outcomes based on a proven and demonstrable track record of improving student, campus, and district achievement, such as Math Innovation Zones and Replicating Great Options. The Commissioner shall require any entity with which the Texas Education Agency contracts for purposes of administering Innovative Programs to provide any expenditure and performance data deemed necessary to assess the success of the program.

Any unexpended balances as of August 31, 2020, are hereby appropriated to fiscal year 2021 for the same purpose.

- 42. Early Childhood School Readiness Program.** Out of funds appropriated above in Strategy A.2.1, Statewide Educational Programs, \$1,750,000 in fiscal year 2020 and \$1,750,000 in fiscal year 2021 shall be distributed to the Children's Learning Institute at the University of Texas Health Science Center at Houston to be used to support the Early Childhood School Readiness Program. The Early Childhood School Readiness Program resources and services will be provided to public prekindergarten, Head Start, university early childhood programs, and/or private non-profit early childhood care programs that have entered into an integrated program with a public school. The Texas Education Agency shall expend these funds in accordance with the following provisions:

Funds shall be distributed on a competitive grant basis to preschool programs to provide scientific, research-based instruction across primary development domains including, but not limited to, physical, mathematical concepts and thinking, language and communication, literacy, reading and writing, and social emotional development with the goal of directly improving the skills of three- and four-year-old children and improving overall kindergarten readiness. To be eligible for the grants, applicants must serve at least 75 percent low income students, as determined by the Commissioner. It is the intent of the Legislature that the Texas Education Agency participate to the extent practicable in interagency early childhood education and care coordination initiatives. This includes, but is not limited to, participation in the Head Start collaboration project or any other interagency entity formed to address the coordination of early childhood care and education service delivery and funding.

## Senate

- c. \$14,500,000 for the 2020-21 biennium to support Innovative Programs that support educator development or increase achievement outcomes based on a proven and demonstrable track record of improving student, campus, and district achievement, such as Math Innovation Zones and Replicating Great Options. The Commissioner shall require any entity with which the Texas Education Agency contracts for purposes of administering Innovative Programs to provide any expenditure and performance data deemed necessary to assess the success of the program.

Any unexpended balances as of August 31, 2020, are hereby appropriated to fiscal year 2021 for the same purpose.

- 42. Early Childhood School Readiness Program.** Out of funds appropriated above in Strategy A.2.1, Statewide Educational Programs, \$1,750,000 in fiscal year 2020 and \$1,750,000 in fiscal year 2021 shall be distributed to the Children's Learning Institute at the University of Texas Health Science Center at Houston to be used to support the Early Childhood School Readiness Program. The Early Childhood School Readiness Program resources and services will be provided to public prekindergarten, Head Start, university early childhood programs, and/or private non-profit early childhood care programs that have entered into an integrated program with a public school. The Texas Education Agency shall expend these funds in accordance with the following provisions:

Funds shall be distributed on a competitive grant basis to preschool programs to provide scientific, research-based instruction across primary development domains including, but not limited to, physical, mathematical concepts and thinking, language and communication, literacy, reading and writing, and social emotional development with the goal of directly improving the skills of three- and four-year-old children and improving overall kindergarten readiness. To be eligible for the grants, applicants must serve at least 75 percent low income students, as determined by the Commissioner. It is the intent of the Legislature that the Texas Education Agency participate to the extent practicable in interagency early childhood education and care coordination initiatives. This includes, but is not limited to, participation in the Head Start collaboration project or any other interagency entity formed to address the coordination of early childhood care and education service delivery and funding.

# TEXAS EDUCATION AGENCY

Differences Only - Excludes Capital  
(Continued)

## House

From amounts referenced above, the Texas Education Agency shall ensure that the Children's Learning Institute at the University of Texas Health Science Center at Houston uses funds to support the Texas School Ready! system, Engage, and CIRCLE platforms and implement the following requirements:

- a. Provide statewide online access to research-based professional development for beginning, intermediate and advanced instruction and activities across the primary developmental domains;
- b. Provide statewide online access to research-based professional development courses across the primary developmental domains;
- c. Provide statewide access and support for CIRCLE student progress monitoring to assist teachers with determining a child's progress in the primary developmental domains and plan effective instruction; and
- d. Significantly increase the impact and use of the Texas School Ready! system, Engage, and CIRCLE platforms.

The Commissioner shall require The Children's Learning Institute to provide any expenditure and performance data deemed necessary to assess the success of the program in meeting the requirements identified in this rider.

In the expenditure of funds referenced above, the Texas Education Agency or any entity with which the Texas Education Agency contracts for purposes of administering programs under this rider shall comply with contract management requirements pursuant to Texas Government Code, Chapter 2262.

As a condition of receipt of these funds, the Commissioner shall require the Children's Learning Institute to submit a report to the Governor, the Lieutenant Governor, the Speaker of the House, the Legislative Budget Board, and the presiding officers of the standing committees of the Legislature with primary jurisdiction over public education not later than December 1 of each year providing detailed information on the expenditure of state funds and performance data in the prior fiscal year for purposes of programs administered under this rider.

Any unexpended balances as of August 31, 2020, are hereby appropriated to fiscal year 2021 for the same purpose.

## Senate

From amounts referenced above, the Texas Education Agency shall ensure that the Children's Learning Institute at the University of Texas Health Science Center at Houston uses funds to support the Texas School Ready! system, Engage, and CIRCLE platforms and implement the following requirements:

- a. Provide statewide online access to research-based professional development for beginning, intermediate and advanced instruction and activities across the primary developmental domains;
- b. Provide statewide online access to research-based professional development courses across the primary developmental domains;
- c. Provide statewide access and support for CIRCLE student progress monitoring to assist teachers with determining a child's progress in the primary developmental domains and plan effective instruction; and
- d. Significantly increase the impact and use of the Texas School Ready! system, Engage, and CIRCLE platforms.

The Commissioner shall require The Children's Learning Institute to provide any expenditure and performance data deemed necessary to assess the success of the program in meeting the requirements identified in this rider.

In the expenditure of funds referenced above, the Texas Education Agency or any entity with which the Texas Education Agency contracts for purposes of administering programs under this rider shall comply with contract management requirements pursuant to Texas Government Code, Chapter 2262.

As a condition of receipt of these funds, the Commissioner shall require the Children's Learning Institute to submit a report to the Governor, the Lieutenant Governor, the Speaker of the House, the Legislative Budget Board, and the presiding officers of the standing committees of the Legislature with primary jurisdiction over public education not later than October 1 of each year providing detailed information on the expenditure of state funds and performance data in the prior fiscal year for purposes of programs administered under this rider.

Any unexpended balances as of August 31, 2020, are hereby appropriated to fiscal year 2021 for the same purpose.

## TEXAS EDUCATION AGENCY

Differences Only - Excludes Capital

(Continued)

### House

**43. Student Success Initiative/Community Partnerships.** Out of funds appropriated above in Strategy A.2.1, Statewide Educational Programs, the Commissioner shall expend \$5,500,000 in General Revenue in fiscal year 2020 and \$5,500,000 in fiscal year 2021 for the Student Success Initiative/Community Partnerships. The Commissioner shall award grants to schools with high percentages of students who do not perform satisfactorily as determined by local school districts, and that serve the most struggling neighborhoods, as determined by the percentage of students determined to be economically disadvantaged, to implement a comprehensive support program that increases the number of students performing on grade level by leveraging academic, community, and governmental supports. The Commissioner shall prioritize issuing awards based on applications that demonstrate a commitment to improved outcomes on clear performance measures, but shall not base this determination solely on standardized test scores.

The Commissioner may require any entity with which the Texas Education Agency contracts for purposes of administering the programs under this rider to provide any expenditure and performance data deemed necessary to assess the success of the program.

Any unexpended balances as of August 31, 2020, are hereby appropriated to fiscal year 2021 for the same purpose.

### Senate

**43. Student Success Initiative/Community Partnerships.** Out of funds appropriated above in Strategy A.2.1, Statewide Educational Programs, the Commissioner shall expend \$5,500,000 in General Revenue in fiscal year 2020 and \$5,500,000 in fiscal year 2021 for the Student Success Initiative/Community Partnerships. The Commissioner shall award grants to schools with high percentages of students who do not perform satisfactorily on relevant state assessments, and that serve the most struggling neighborhoods, as determined by the Commissioner, to implement a comprehensive support program that increases the number of students performing on grade level by leveraging academic, community, and governmental supports. The Commissioner shall prioritize issuing awards based on applications that demonstrate a commitment to improved outcomes on clear performance measures.

The Commissioner may require any entity with which the Texas Education Agency contracts for purposes of administering the programs under this rider to provide any expenditure and performance data deemed necessary to assess the success of the program.

Any unexpended balances as of August 31, 2020, are hereby appropriated to fiscal year 2021 for the same purpose.

# TEXAS EDUCATION AGENCY

Differences Only - Excludes Capital

(Continued)

House

Senate

**56. Adult Charter School.** From General Revenue funds appropriated above in Strategy A.2.1, Statewide Educational Programs, \$2,500,000 is allocated in fiscal year 2020 and \$5,000,000 is allocated in fiscal year 2021 for the adult high school diploma and industry certification charter school authorized in 2014 for adults 19 to 50 years of age as authorized under Texas Education Code, §29.259. The Commissioner may require any entity with which the Texas Education Agency contracts for purposes of administering programs under this rider to provide any expenditure and performance data necessary to assess the success of the program. Any unexpended balances as of August 31, 2020 are hereby appropriated for fiscal year 2021.

**57. Open Education Resource Instructional Materials.** Out of funds appropriated above in Strategy B.2.1, Technology and Instructional Materials, the Commissioner shall set aside \$10,000,000 from the Technology and Instructional Materials Fund in each fiscal year of the biennium to issue a request for proposals for state-developed open education resource instructional materials under Texas Education Code §31.071. It is the intent of the Legislature that the request should prioritize the procurement of materials in subject areas that constitute the bulk of school district purchases, including subject areas aligned with the State Board of Education curriculum revision schedule, advanced secondary courses supporting the study of science, technology, engineering, and mathematics, and courses commonly offered for dual credit under Texas Education Code §28.009 for which the agency determines that high-quality open education resource instructional materials are not readily available. The commissioner shall collaborate with the commissioner of higher education to ensure that the rigor level of any state-developed open education resource instructional materials for dual credit courses is reflective of collegiate expectations.

The Commissioner shall require that any external entity developing open education resource instructional materials funded by this rider provide any data deemed necessary to assess the progress and success in developing such materials. The Commissioner shall annually submit a report by September 1 to the Governor, the Lieutenant Governor, the Speaker of the House, the

**56. Adult Charter School.** From General Revenue funds appropriated above in Strategy A.2.1, Statewide Educational Programs, \$2,500,000 is allocated in fiscal year 2020 and \$5,000,000 is allocated in fiscal year 2021 for the adult high school diploma and industry certification charter school program for adults 19 to 50 years of age as authorized under Texas Education Code, §29.259. The Commissioner may require any entity with which the Texas Education Agency contracts for purposes of administering programs under this rider to provide any expenditure and performance data necessary to assess the success of the program.

**57. Open Education Resource Instructional Materials.** Out of funds appropriated above in Strategy B.2.1, Technology and Instructional Materials, the Commissioner shall set aside \$10,000,000 from the Technology and Instructional Materials Fund in each fiscal year of the biennium to issue a request for proposals for state-developed open education resource instructional materials under Texas Education Code §31.071. It is the intent of the Legislature that the request should prioritize the procurement of materials in subject areas that constitute the bulk of school district purchases, including subject areas aligned with the State Board of Education curriculum revision schedule, and advanced secondary courses supporting the study of science, technology, engineering, and mathematics.

The Commissioner shall require that any external entity developing open education resource instructional materials funded by this rider provide any data deemed necessary to assess the progress and success in developing such materials. The Commissioner shall annually submit a report by September 1 to the Governor, the Lieutenant Governor, the Speaker of the House, the Legislative Budget Board, and the presiding officers of the standing committees of the legislature with primary jurisdiction over public education. The report shall include information on the number and type of open education resource instructional materials developed, use of those materials by school districts and open-enrollment charter schools, and plans for assessing the effectiveness of those materials.

**TEXAS EDUCATION AGENCY**

Differences Only - Excludes Capital  
(Continued)

**House**

**Senate**

Legislative Budget Board, and the presiding officers of the standing committees of the legislature with primary jurisdiction over public education. The report shall include information on the number and type of open education resource instructional materials developed, use of those materials by school districts and open-enrollment charter schools, and plans for assessing the effectiveness of those materials.

**61. Literacy Achievement Academies.** Out of General Revenue Funds appropriated above in Strategy A.2.1, Statewide Educational Programs, the Texas Education Agency shall use \$4,500,000 in fiscal year 2020 and \$4,500,000 in fiscal year 2021 to host highly professional, research-based Literacy Achievement Academies for kindergarten through third grade teachers with a curriculum focused on how to teach core reading and writing skills in accordance with Texas Education Code §21.4552. In adopting criteria for selecting teachers who may attend under Section 21.4552(c)(1) and (c)(2), the Commissioner shall prioritize campuses with high percentages of students who do not perform satisfactorily on relevant state assessments.

Any unexpended balances as of August 31, 2020, are hereby appropriated for fiscal year 2021 for the same purposes.

**67. Public Education State Funding Transparency.** Out of funds appropriated above to the Texas Education Agency, the agency shall evaluate, for the existing and prior five biennia, state aid provided through the Foundation School Program for school districts per student in average daily attendance and per student in weighted average daily attendance, as well as in the manner provided below for the total dollar amount of state aid for school districts. In its evaluation, the agency shall compare state aid with the rate of inflation and other factors impacting school district costs. The agency shall report its findings to the Governor, the Legislative Budget Board, and the

**61. Literacy Achievement Academies.** Out of General Revenue Funds appropriated above in Strategy A.2.1, Statewide Educational Programs, the Texas Education Agency shall use \$4,500,000 in fiscal year 2020 and \$4,500,000 in fiscal year 2021 to host highly professional, research-based Literacy Achievement Academies for kindergarten through third grade teachers with a curriculum including the identification of students with dyslexia and focused on how to teach core reading and writing skills in accordance with Texas Education Code §21.4552. In adopting criteria for selecting teachers who may attend under Section 21.4552(c)(1) and (c)(2), the Commissioner shall prioritize campuses with high percentages of students who do not perform satisfactorily on relevant state assessments.

Any unexpended balances as of August 31, 2020, are hereby reappropriated for fiscal year 2021 for the same purposes.

**67. Public Education State Funding Transparency.** Out of funds appropriated above to the Texas Education Agency, the agency shall evaluate, for the existing and prior four biennia, state aid provided through the Foundation School Program for school districts per student in average daily attendance and per student in weighted average daily attendance. In its evaluation, the agency shall compare state aid with the rate of inflation and other factors impacting school district costs. The agency shall report its findings to the Governor, the Legislative Budget Board, and the appropriate legislative education standing committees by January 1, 2020.

**TEXAS EDUCATION AGENCY**

Differences Only - Excludes Capital  
(Continued)

**House**

**Senate**

appropriate legislative education standing committees by January 1, 2020.

No later than January 1, 2021, the Texas Education Agency shall report on its external website the following information related to the Foundation School Program for fiscal years 2010 through 2020, and projections for fiscal year 2021:

- a. the average daily attendance for charter holders and the percentage of the total statewide average daily attendance;
- b. the average daily attendance for only traditional school districts, excluding charter holders, and the percentage of the total statewide average daily attendance for traditional school districts;
- c. local revenue for public education;
- d. state aid for public education;
- e. the amount of state aid provided for maintenance and operations and for combined maintenance and operations and facilities both by total dollar and per student in average daily attendance for school districts, represented in constant dollars;
- f. the amount of state aid provided both by total dollar and per student in average daily attendance for charter holders, represented both in actual and in constant dollars;
- g. the amount of recapture revenue, represented in both actual and constant dollars;
- h. the total funding provided to school districts, represented in both actual and constant dollars;
- i. the total amount of state aid provided to school districts, and the percentage that number represents of the total state aid for all school districts and charter schools; and
- j. the total amount of state aid provided to charter schools, and the percentage that number represents of the total state aid for all school districts and charter schools.

Constant dollars should consider the rate of inflation and other factors impacting school district costs.

No later than January 1, 2021, the Texas Education Agency shall report on its external website the following information related to the Foundation School Program for fiscal years 2010 through 2020:

- a. the average daily attendance for charter holders;
- b. the average daily attendance for school districts;
- c. local revenue for public education;
- d. state aid for public education;
- e. the amount of state aid provided per student in average daily attendance for school districts, represented in constant dollars;
- f. the amount of state aid provided per student in average daily attendance for charter holders, represented in constant dollars;
- g. the amount of recapture revenue, represented in constant dollars;
- h. the total funding provided to school districts, represented in constant dollars.

Constant dollars should consider the rate of inflation and other factors impacting school district costs.

**TEXAS EDUCATION AGENCY**

Differences Only - Excludes Capital  
(Continued)

**House**

**Senate**

In reporting its funding pursuant to the calculations directed by subsections (a-j) above, TEA shall count Foundation School Program recapture revenue as a portion of the local share of the cost of education.

**72. Funding for Special Education Strategic Plan FTEs.** For both years of the 2020-21 biennium, 54.0 FTEs included above in Strategy B.3.2, Agency Operations, are intended for the implementation of the Special Education Strategic Plan and are to be completely paid for with federal Individuals with Disabilities Act (IDEA), Part B funds appropriated above.

**72. Funding for Special Education Strategic Plan FTEs.** For both years of the 2020-21 biennium, 54.0 FTEs included above in Strategy B.3.2, Agency Operations, are intended for the implementation of the Special Education Strategic Plan and are to be completely paid for with federal Individuals with Disabilities Act (IDEA), Part B funds appropriated above. In a manner consistent with the federally approved Special Education Strategic Plan, the Texas Education Agency shall ensure that these FTEs provide the services necessary to support the identification and evaluation of students with autism and students with dyslexia.

**74. Report on the Effectiveness of Certain TEA Programs.** Out of funds appropriated above in Strategy B.3.4, Central Administration, the Texas Education Agency (TEA) shall prepare a report on the effectiveness of programs that receive funding appropriated above to TEA and are administered in part or in whole by non-governmental organizations. The report shall identify and quantify whether measurable improvements in relevant student outcomes are attributable to each program. The Commissioner may require any entity with which TEA contracts for purposes of administering a program to provide any expenditure and performance data necessary to assess the success of the program.

In collaboration with the Legislative Budget Board (LBB), TEA shall develop a list of the programs and entities to be evaluated in the report. The report shall be distributed to the House Public Education Committee, the Senate Education Committee, the House Appropriations Committee, the Senate Finance Committee, the Governor, and the LBB by May 1, 2020.

**TEXAS EDUCATION AGENCY**

Differences Only - Excludes Capital

(Continued)

**House**

**Senate**

**74. Texas Safe and Healthy Schools Initiative.** Appropriations above include a total of \$54,478,500 and 6.0 FTEs for the Safe and Healthy Schools Initiative. Funds allocated for the Safe and Healthy Schools Initiative may be used to improve school safety and security, including costs associated with securing school facilities, providing school district security, school safety, security training and planning, emergency communications services, and mental health services. The Commissioner shall allocate these funds for the following purposes.

General Revenue Funds:

- a. From Strategy B.2.2, Health & Safety, \$10,000,000 in fiscal year 2020 for Mental Health First Aid, Telemedicine, trauma-informed care, and coordination of access to mental health providers, including creation and maintenance of regional and local provider lists;
- b. From Strategy B.3.2, Agency Operations, \$750,000 and 6.0 FTEs in each year of the biennium for mental health supports and positive school culture, including promulgating best practices, providing sample tools, resources, and effective models, providing technical support, and managing statewide grants; and
- c. From Strategy B.3.5, Information Systems Technology, \$478,500 in fiscal year 2020 for information technology needs related to mental health supports and positive school culture.

Economic Stabilization Fund No. 599 in fiscal year 2020:

- d. From Strategy B.2.2, Health & Safety, the Commissioner shall allocate the following amounts:
  - (1) \$20,000,000 for grants for mental health and positive school culture programs, including school based behavioral health clinics, with the goal of ensuring students on every campus across the state have access to needed behavioral health services through innovative, proven programs;
  - (2) \$5,000,000 to support one FTE at each Education Service Center to provide local support for mental health and positive school culture;

**TEXAS EDUCATION AGENCY**

Differences Only - Excludes Capital  
(Continued)

**House**

**Senate**

- (3) \$5,000,000 for pilot grants for innovative programs to increase school health and safety;
- (4) \$10,000,000 for matching grants to school districts and charters for facility hardening activities and school safety communication technology; and
- (5) \$2,500,000 for grants to the Texas School Safety Center to coordinate and conduct Emergency Response audits and to identify school district and charter facility and school safety improvement needs.

Any unexpended balances as of August 31, 2020, are hereby appropriated to fiscal year 2021 for the same purpose.

**75. Special Education Supports.** Appropriations above include a total of \$50,478,500 in General Revenue Funds for the Special Education Supports initiative. The Commissioner shall allocate these funds for the following purposes:

- a. From Strategy A.2.3, Students with Disabilities, \$50,000,000 in General Revenue Funds in fiscal year 2020 for grants to reimburse school districts for the following costs: providing extended school year services for students receiving special education; for costs relating to identification of students needing special education, including full individual and initial evaluations and independent educational evaluations; and for certain compensatory services costs related to the provision of services to students under the Individuals with Disabilities Education Act;
- b. From Strategy B.3.5, Information Systems Technology, \$478,500 in General Revenue Funds in fiscal year 2020 for information technology needs related to the Special Education Supports initiative.

The Texas Education Agency shall report to the Legislative Budget Board and the Office of the Governor about the implementation of the grant program as directed by this rider by December 31, 2020.

**79. Special Education Supports.** Appropriations above include a total of \$50,478,500 in General Revenue Funds in the 2020-21 biennium for the Special Education Supports initiative. The Commissioner shall allocate these funds for the following purposes:

- a. From Strategy A.2.3, Students with Disabilities, \$50,000,000 in General Revenue Funds in fiscal year 2020 for grants to reimburse school districts for certain compensatory services costs related to the provision of services to students under the Individuals with Disabilities Education Act;
- b. From Strategy B.3.5, Information Systems Technology, \$478,500 in General Revenue Funds in fiscal year 2020 for information technology needs related to the Special Education Supports initiative.

The Texas Education Agency shall report to the Legislative Budget Board and the Office of the Governor about the implementation of the grant program as directed by this rider by December 31, 2020.

# TEXAS EDUCATION AGENCY

Differences Only - Excludes Capital  
(Continued)

House

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**75. Provision of Information on Special Education to the Legislative Budget Board.** Out of administrative funds appropriated above, the Texas Education Agency shall provide information sufficient to facilitate a report written by the Legislative Budget Board on the status and funding of special education services to the Eighty-seventh Legislature. The report will summarize the status of corrective actions required by the U.S. Department of Education; the implementation of the Texas Education Agency's Special Education Strategic Plan; agency compliance with special education requirements established in the 2020-21 General Appropriations Act; any new special education initiatives enacted by the Eighty-sixth Legislature, Regular Session, 2019; and a listing of fiscal year 2020 expenditures and fiscal year 2021 budgeted amounts by methods of finance for special education services.

**76. Administrative Cost Savings Through Strategic Insourcing.** It is the intent of the Legislature that the Texas Education Agency shall internally provide previously contracted maintenance services for certain software applications. Accordingly, included in appropriations above in Strategy B.3.5, Information Systems - Technology, are reductions of \$295,000 from the General Revenue Fund in each fiscal year of the biennium, and included in the Number of Full-Time Equivalents (FTE) listed above is an increase of 12.0 in each fiscal year of the biennium. The purpose of these changes is to reduce costs associated with contracted services for software application maintenance by bringing these functions in-house to be accomplished by Texas Education Agency employees. A portion of the reduction in General Revenue savings is expected to be offset by increased costs associated with employee benefits.

**76. Contingency for Behavioral Health Funds.** Notwithstanding appropriation authority granted above, the Comptroller of Public Accounts shall not allow the expenditure of General Revenue-Related Funds at the Texas Education Agency in Strategies B.2.2, Health & Safety, B.3.2, Agency Operations, and B.3.5, Information Systems Technology, in fiscal years 2020 or 2021, as

**TEXAS EDUCATION AGENCY**

Differences Only - Excludes Capital

(Continued)

**House**

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identified in Art. IX §10.04, Statewide Behavioral Health Strategic Plan and Coordinated Expenditures, if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the agency's planned expenditure of those funds in fiscal year 2020 or fiscal year 2021 does not satisfy the requirements of Art. IX §10.04, Statewide Behavioral Health Strategic Plan and Coordinated Expenditures.

- 77. Additional Foundation School Program Funds for House Bill 3, or Other Legislation Increasing the State Share, Enhancing School District Entitlement, Reducing Recapture, and Providing Tax Relief.** It is the intent of the Eighty-sixth Legislature to adopt comprehensive school finance legislation and provide local property tax relief. In addition to amounts appropriated above in Strategy A.1.1, FSP - Equalized Operations, and Strategy A.1.2, FSP - Equalized Facilities, \$4.5 billion in fiscal year 2020 and \$4.5 billion in fiscal year 2021 is appropriated out of the Foundation School Fund No. 193 to be used for the purposes specified in this rider.

The amounts appropriated in this rider are contingent on enactment of legislation supporting school districts and charter schools by increasing the state share of the Foundation School Program, enhancing district entitlement, reducing recapture, and providing local property tax relief, while maintaining an equitable system of school finance. Legislative priorities addressed in House Bill 3 include teacher compensation, increasing the Basic Allotment and providing additional funding for early childhood education, and students needing special education or other specialized services.

At least \$2.7 billion of the total amount appropriated in this rider shall be used to provide local property tax relief. Funds shall be used to enable the compression of local maintenance and operations (M&O) property tax collections, pursuant to the provisions of the legislation, while ensuring school districts do not receive less total state and local funding through the FSP. To the extent that other amounts are appropriated from the Foundation School Fund No. 193 or from another funding source by this or another act of the 86th Legislature to provide local property tax relief, those amounts are in addition to the amounts appropriated for that purpose by this rider.

The \$9.0 billion in Foundation School Fund No. 193 appropriated in this rider represents new state funding for school districts and charter schools above amounts estimated to fully fund current law.

**TEXAS EDUCATION AGENCY**

Differences Only - Excludes Capital  
(Continued)

House

Senate

**78. Foundation School Program State Funding for Projected Student Enrollment Growth and Guaranteed Yield Growth.** Appropriations provided above in Strategy A.1.1, FSP-Equalized Operations, fully fund an estimated \$2,400,000,000 in projected student enrollment growth and \$2,200,000,000 in additional state aid above 2018-19 funding levels associated with the increase under current law in the Guaranteed Yield associated with the Austin Independent School District in accordance with §41.002(a)(2) and §42.302(a-1)(1) of the Texas Education Code.

**78. Foundation School Program Estimated Methods of Finance.** The Foundation School Program is funded with a sum-certain All Funds appropriation comprising four estimated dedicated revenue streams, and an estimated appropriation of unrestricted General Revenue (Foundation School Fund No. 193) which increases or decreases in response to actual amounts received from the four dedicated revenue streams.

Included in amounts appropriated above to the Foundation School Program are the following estimated methods of financing:

	<u>Fiscal Year 2020</u>	<u>Fiscal Year 2021</u>
<b>General Revenue</b>		
Foundation School Fund No. 193, estimated	\$ 18,190,235,602	\$ 16,724,935,602
Available School Fund, estimated	\$ 1,246,500,000	\$ 2,344,900,000
Lottery Proceeds, estimated	\$ 1,422,900,000	\$ 1,444,300,000
<b>Subtotal, General Revenue Fund</b>	<b>\$ 20,859,635,602</b>	<b>\$ 20,514,135,602</b>
<b>Other Funds</b>		
Property Tax Relief Fund, estimated	\$ 1,734,000,000	\$ 1,869,300,000
Recapture Payments - Attendance Credits, estimated	\$ 3,236,700,000	\$ 3,786,200,000
<b>Subtotal, Other Funds</b>	<b>\$ 4,970,700,000</b>	<b>\$ 5,655,500,000</b>

**TEXAS EDUCATION AGENCY**

Differences Only - Excludes Capital  
(Continued)

**House**

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**Total**                                **\$ 25,830,335,602**    **\$ 26,169,635,602**

**79. Reporting on Charter School Facilities.** Out of administrative funds appropriated above, the Texas Education Agency shall maintain a report on each facility owned or leased by open-enrollment charter schools, including ownership of the facility, whether the facility is an instructional facility, information on each lease or mortgage agreement, information on each charter school's use of facility funding provided under Education Code §12.106(d-f), information about the amount and terms of each charter school's bonds and debt service and whether a bond is backed by a guarantee from the Permanent School Fund, and the aggregate amount of charter schools' outstanding bonds. The agency shall provide the list by January 1, 2020 and January 1, 2021. The information required by this rider shall be posted on the agency's website and submitted to the Governor, the Lieutenant Governor, the Speaker of the House, the Legislative Budget Board, and the presiding officers of the standing committees of the legislature with primary jurisdiction over public education.

**80. Evaluation of Processes Related to the Enrollment of Students with a Delinquent or Provisional Immunization Status.** Out of administrative funds appropriated above to the Texas Education Agency, the agency shall evaluate the school enrollment process for students who have a delinquent or provisional immunization status. The intent of this evaluation is to identify best practices related to the enrollment of students with delinquent or provisional immunization status with the goal of increasing immunization rates, improving student health, and reducing absenteeism. The report shall identify constraints or challenges that school districts encounter when implementing admission and eligibility requirements, including challenges in regions of the state where access to care may be limited. The report shall identify evidence-based practices to improve compliance and reduce absenteeism. A copy of the report shall be posted on the agency's web site and delivered to the Governor, Legislative Budget Board, and the appropriate legislative education standing committees no later than August 31, 2020.

# TEXAS EDUCATION AGENCY

Differences Only - Excludes Capital  
(Continued)

House

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**81. Expanded Learning.** Out of administrative funds appropriated above the Commissioner of Education shall consult with a private nonprofit organization(s) with experience in outside classroom expanded learning opportunities, and the Expanded Learning Opportunities Council to develop best practice recommendations and voluntary standards related to expanded learning opportunities and make them available on the agency's external website no later than December 31, 2020.

**80. Contingent Appropriation for Additional Public Education Funding.** In addition to amounts appropriated above, and contingent on enactment of legislation making changes to the school finance system to deliver additional state funding for public education, by the Eighty-sixth Legislature, Regular Session, the Texas Education Agency is appropriated \$2,300,000,000 in the 2020-21 biennium from the General Revenue Fund. This funding is to be distributed in a manner to be determined by the legislation for the purposes of implementing the provisions of the legislation.

**81. Contingent Appropriation Providing Property Tax Relief.** In addition to amounts appropriated above, and contingent on enactment of legislation providing property tax relief and reducing reliance on recapture paid by school districts, by the Eighty-sixth Legislature, Regular Session, the Texas Education Agency is appropriated \$2,700,000,000 in the 2020-21 biennium from the General Revenue Fund. This funding is to be distributed in a manner to be determined by the legislation for the purposes of implementing the provisions of the legislation.

**82. Contingent Appropriation of \$4.0 billion for Senate Bill 3 Classroom Teacher and School Librarian Salary Increases.** In addition to amounts appropriated above, and contingent on enactment of Senate Bill 3 or similar legislation providing a classroom teacher and school librarian salary increase by the Eighty-sixth Legislature, Regular Session, the Texas Education Agency is

# TEXAS EDUCATION AGENCY

Differences Only - Excludes Capital  
(Continued)

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appropriated \$3,700,000,000 in the 2020-21 biennium from the General Revenue Fund. Of this amount, \$3,275,000 shall be used in each fiscal year of the biennium to provide a salary increase for Windham School District teachers and librarians, and \$675,000 shall be transferred to the Texas Juvenile Justice Department to provide a salary increase for teachers and librarians. Remaining funds are to be distributed to school districts and charter schools in a manner to be determined by the legislation for the purpose of increasing classroom teacher salaries.

In addition to the amounts appropriated to the Texas Education Agency in this rider, and contingent on enactment of Senate Bill 3 or similar legislation providing a classroom teacher and school librarian salary increase by the Eighty-sixth Legislature, Regular Session, appropriations made elsewhere in this Act to the Teacher Retirement System include a total of \$293,179,373 in General Revenue Funds for the state contribution for retirement and retiree health care benefits associated with the salary increases in the legislation.

**82. Federally Funded Capital Projects.** Notwithstanding the limitations in Article IX, Section 14.03 Limitations on Expenditures - Capital Budget, the Texas Education Agency is authorized to transfer from a non-capital budget item to an existing capital budget item or a new capital budget item not present in the agency's bill pattern contingent upon:

- (a) implementation of a new, unanticipated project that is 100 percent federally funded; or
- (b) the unanticipated expansion of an existing project that is 100 percent federally funded; and
- (c) notification to the State Auditor's Office and the Comptroller of Public Accounts, and approval from the Legislative Budget Board and Governor.

The request shall be considered approved unless the Legislative Budget Board or the Governor issue a written disapproval within 15 business days after the date the Legislative Budget Board staff concludes its review of the proposal to expend the funds and forwards the review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor. Any requests for additional information made by the Legislative Budget Board shall interrupt the counting of the 15 business days.

**TEXAS EDUCATION AGENCY**

Differences Only - Excludes Capital

(Continued)

**House**

**Senate**

**83. Grants for Students with Autism.** Out of General Revenue Funds appropriated above in Strategy A.2.3, Students with Disabilities, the Texas Education Agency (TEA) shall use \$10,000,000 in fiscal year 2020 and \$10,000,000 in fiscal year 2021 to provide grants for innovative services for students with autism. These grants shall be made in accordance with Texas Education Code Section 29.026.

Any unexpended balances as of August 31, 2020 are hereby appropriated to fiscal year 2021 for the same purpose.

**84. Grants for Students with Dyslexia.** Out of General Revenue Funds appropriated above in Strategy A.2.3, Students with Disabilities, the Texas Education Agency (TEA) shall use \$10,000,000 in fiscal year 2020 and \$10,000,000 in fiscal year 2021 to provide grants for innovative services for students with dyslexia. These grants shall be made in accordance with Texas Education Code Section 29.027.

Any unexpended balances as of August 31, 2020 are hereby appropriated to fiscal year 2021 for the same purpose.

**77. Grants for Students with Autism.** Out of General Revenue Funds appropriated above in Strategy A.2.3, Students with Disabilities, the Texas Education Agency (TEA) shall use \$10,000,000 in fiscal year 2020 and \$10,000,000 in fiscal year 2021 to provide grants for innovative services for students with autism. Such innovative services may include the use of interactive technology. These grants shall be made in accordance with Texas Education Code Section 29.026.

Any unexpended balances as of August 31, 2020 are hereby appropriated to fiscal year 2021 for the same purpose.

# SCHOOL FOR THE BLIND AND VISUALLY IMPAIRED

Differences Only - Excludes Capital

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**7. Campus Safety and Security Funding.** Included in amounts appropriated above in Strategy A.1.4, Related and Support Services, is \$753,500 in Economic Stabilization Funds in fiscal year 2020 for campus security and safety improvements. \$653,500 in Economic Stabilization Funds shall be expended for equipment and physical infrastructure upgrades related to school safety and \$100,000 in Economic Stabilization Funds shall be expended for cybersecurity hardware and software.

**7. Salary Increase for Direct Care Employees.** Included in amounts appropriated above are the following amounts from the General Revenue Fund to provide salary increases for residential specialists, teacher aides, and nurses: in Strategy A.1.1, Classroom Instruction, \$67,325 in each fiscal year of the 2020-21 biennium; in Strategy A.1.2, Residential Program, \$180,165 in fiscal year 2020 and \$180,166 in fiscal year 2021; in Strategy A.1.3, Short-term Programs, \$9,751 in each fiscal year of the 2020-21 biennium; and in Strategy A.1.4, Related and Support Services, \$63,402 in each fiscal year of the 2020-21 biennium. Notwithstanding any other provision of this Act, the funds may not be expended for other purposes.

## SCHOOL FOR THE DEAF

Differences Only - Excludes Capital

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Senate

**5. Campus Safety and Security Funding.** Included in amounts appropriated above in Strategy D.1.2, Other Support Services, is \$335,000 in Economic Stabilization Funds in fiscal year 2020 for campus security equipment. In accordance with Education Code Chapter 30 and Government Code Chapter 2165, \$325,000 in Economic Stabilization Funds of this amount shall be transferred in fiscal year 2020 to the Texas Facilities Commission for the purchase and installation campus safety and security equipment. Included in amounts appropriated above in Strategy A.1.3, Related and Support Services, are \$63,864 in General Revenue Funds and 0.9 FTEs in each fiscal year for one mental health counselor related to school safety. Included in amounts appropriated above in Strategy D.1.2, Other Support Services, in each year of the 2020-21 biennium are \$295,406 in General Revenue Funds and 5.0 FTEs for the following school safety and security staff: one Risk Management and Campus Security Director, two school resource officers, and two school security officers.

**6. Contingency for Behavioral Health Funds.** Notwithstanding appropriation authority granted above, the Comptroller of Public Accounts shall not allow the expenditure of General Revenue-Related Funds at the School for the Deaf in Strategy A.1.3, Related and Support Services, in fiscal years 2020 or 2021, as identified in Art. IX §10.04, Statewide Behavioral Health Strategic Plan and Coordinated Expenditures, if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the agency's planned expenditure of those funds in fiscal year 2020 or fiscal year 2021 does not satisfy the requirements of Art. IX §10.04, Statewide Behavioral Health Strategic Plan and Coordinated Expenditures.

**6. Funding for Special Education Teaching and Direct Student Services Staff.** Included in amounts appropriated above are \$158,753 in General Revenue Funds in fiscal year 2020, \$158,754 in General Revenue Funds in fiscal year 2021, and 3.0 FTEs each fiscal year for additional special education teaching and direct student services staff. Notwithstanding any other provision of this Act, the funds may not be expended for other purposes.

## SCHOOL FOR THE DEAF

Differences Only - Excludes Capital  
(Continued)

### House

**7. Transfer of Funds to the Texas Facilities Commission.** In accordance with Education Code Chapter 30 and Government Code Chapter 2165, out of amounts appropriated above in Strategy D.1.3, Facility Construction, Repair and Rehabilitation, \$14,325,756 in Economic Stabilization Funds shall be transferred in fiscal year 2020 to the Texas Facilities Commission for Career and Technology Education (CTE) classroom expansion, renovation of the Seeger Gymnasium, and campus traffic circulation improvements, as described in the Texas Facilities Commission's Campus Master Plan for Texas School for the Deaf. Of the \$14.3 million, \$2,277,913 shall be used for CTE classroom expansion, \$9,258,959 shall be used for the Seeger Gymnasium, and \$2,788,884 shall be used for campus traffic circulation.

### Senate

**7. Salary Increase for Direct Care Employees.** Included in amounts appropriated above are the following amounts from the General Revenue Fund to provide salary increases for bus drivers, day and night residential educators, cafeteria staff, behavior support staff, teacher aides, security staff, and IT staff: in Strategy A.1.1, Classroom Instruction, \$61,944 in each fiscal year of the 2020-21 biennium; in Strategy A.1.2, Residential Program, \$124,623 in each fiscal year of the 2020-21 biennium; in Strategy A.1.3, Related and Support Services, \$64,918 in each fiscal year of the 2020-21 biennium; in Strategy A.1.5, Student Transportation, \$21,909 in each fiscal year of the 2020-21 biennium; and in Strategy D.1.2, Other Support Services, \$17,000 in each fiscal year of the 2020-21 biennium. Notwithstanding any other provision of this Act, the funds may not be expended for other purposes.

**5. Transfer of Funds to the Texas Facilities Commission.** In accordance with Education Code Chapter 30 and Government Code Chapter 2165, out of amounts appropriated above in Strategy D.1.3, Facility Construction, Repair and Rehabilitation, \$9,965,646 in General Revenue Funds shall be transferred in fiscal year 2020 to the Texas Facilities Commission for Career and Technology Education (CTE) classroom expansion, rehabilitation of the Clinger Elementary Multipurpose Activity Space, and campus traffic circulation improvements, as described in the Texas Facilities Commission's Campus Master Plan for Texas School for the Deaf. Of the \$10.0 million, \$2,277,913 shall be used for CTE classroom expansion, \$4,898,849 shall be used for the Clinger Elementary Multipurpose Activity Space, and \$2,788,884 shall be used for campus traffic circulation.

## TEACHER RETIREMENT SYSTEM

Differences Only - Excludes Capital

### House

**4. State Contribution to Teacher Retirement Program.** The amounts specified above in Strategy A.1.1, TRS-Public Education Retirement, \$1,838,552,963 in fiscal year 2020 and \$1,908,574,620 in fiscal year 2021, and A.1.2, TRS-Higher Education Retirement, \$179,233,677 in fiscal year 2020 and \$189,244,210 in fiscal year 2021 are based on a state contribution of 6.8 percent of payroll in each year of the 2020-21 biennium, estimated.

**5. State Contribution to Texas Public School Retired Employees Group Insurance Program.** The amounts specified above in Strategy A.2.1, Retiree Health-Statutory Funds, \$430,408,362 in fiscal year 2020 and \$448,951,215 in fiscal year 2021 are based on a state contribution of 1.25 percent of payroll for each fiscal year, estimated.

The retirement system shall notify the Legislative Budget Board, the Governor, and its membership prior to establishing premiums, regarding the impact such premiums will have on retiree costs for TRS-Care insurance.

It is the intent of the Legislature that the Teacher Retirement System control the cost of the retiree insurance program by not providing rate increases to health care providers and pharmacy providers during the 2020-21 biennium without providing 60 days notice to the Legislative Budget Board.

### Senate

**4. State Contribution to Teacher Retirement Program.** The amounts specified above in Strategy A.1.1, TRS-Public Education Retirement, \$1,838,552,963 in fiscal year 2020 and \$1,908,574,620 in fiscal year 2021, and A.1.2, TRS-Higher Education Retirement, \$179,233,677 in fiscal year 2020 and \$189,244,210 in fiscal year 2021 are based on a state contribution of 6.8 percent of payroll in each year of the 2020-21 biennium, estimated.

Contingent on the enactment of Senate Bill 3, or similar legislation relating to additional funding to school districts for classroom teacher and librarian salaries, by the Eighty-sixth Legislature, Regular Session, in addition to amounts appropriated above, TRS is appropriated in Strategy A.1.1, TRS-Public Education Retirement, \$123,086,936 in General Revenue Funds in fiscal year 2020 and \$124,638,118 in General Revenue Funds in fiscal year 2021, estimated, to provide state retirement contributions for additional public education payroll amounts, pursuant to the legislation.

**5. State Contribution to Texas Public School Retired Employees Group Insurance Program.** The amounts specified above in Strategy A.2.1, Retiree Health-Statutory Funds, \$430,408,362 in fiscal year 2020 and \$448,951,215 in fiscal year 2021 are based on a state contribution of 1.25 percent of payroll for each fiscal year, estimated.

The retirement system shall notify the Legislative Budget Board, the Governor, and its membership prior to establishing premiums, regarding the impact such premiums will have on retiree costs for TRS-Care insurance.

It is the intent of the Legislature that the Teacher Retirement System control the cost of the retiree insurance program by not providing rate increases to health care providers and pharmacy providers during the 2020-21 biennium without providing 60 days notice to the Legislative Budget Board.

Contingent on the enactment of Senate Bill 3, or similar legislation relating to additional funding to school districts for classroom teacher and librarian salaries, by the Eighty-sixth Legislature, Regular Session, in addition to amounts appropriated above in Strategy A.2.1, Retiree Health - Statutory Funds, TRS is appropriated \$22,584,588 in General Revenue Funds in fiscal year 2020 and \$22,869,731 in General Revenue Funds in fiscal year 2021, estimated, to provide statutorily required state contributions to TRS-Care for additional public education payroll amounts, pursuant

# TEACHER RETIREMENT SYSTEM

Differences Only - Excludes Capital

(Continued)

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to the legislation.

**21. Legislative Intent Relating to TRS-Care Premiums.** It is the intent of the Legislature that the Teacher Retirement System Board of Trustees shall not increase retiree health insurance premiums for the 2020-21 biennium unless the Legislature provides an ongoing increase in annuities under Chapter 824, Government Code, in an amount commensurate to offset the increase in premiums. This increase is intended to be above and beyond the supplemental annuity contingent upon the enactment of House Bill 9, or similar legislation relating to additional onetime payments to TRS annuitants.

## **21. Exception to FTE Limitation for Board Fiduciary Finding.**

- (a) In addition to the funding and "Number of Full-Time Equivalents (FTE)" appropriated above, the Teacher Retirement System (TRS) is authorized to employ additional FTEs and contract workers under a Fiduciary Finding of the TRS Board of Trustees (the Board) if the Board determines the additional staff are necessary to perform the fiduciary duties of the Board, pursuant to Government Code §825.313.
- (b) It is the intent of the Legislature that the Board approve a statement of justifications and objectives for adopting the additional FTEs, contract workers, and any additional funding related to those staff. No later than 30 business days following the adoption of a Fiduciary Finding pursuant to subsection (a), TRS shall submit to the Legislative Budget Board (LBB) and the Governor:
  - (1) A statement of the justifications and objectives for the additional funding and staff;
  - (2) The current operating budget, as approved by the Board, for each fiscal year of the 2020-21 biennium that is amended by the Fiduciary Finding described in subsection (a);

## TEACHER RETIREMENT SYSTEM

Differences Only - Excludes Capital

(Continued)

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- (3) Performance metrics proposed by TRS to evaluate the impact of additional staff on the Board's objectives in approving the additional staff; and
- (4) Any additional information requested by the LBB or the Governor regarding the Fiduciary Finding described in subsection (a).
- (c) No later than October 31 following a fiscal year for which the TRS Board has adopted a Fiduciary Finding described in subsection (a), TRS shall provide a report to the LBB and the Governor on:
  - (1) The actual number of additional FTEs and contract workers hired during the preceding fiscal year pursuant to subsection (a);
  - (2) The actual total expenditures for the preceding fiscal year related to additional FTEs and contract workers described in subsection (c) (1); and
  - (3) A report on the agency's actual performance on metrics described in subsection (b)(3) for the preceding fiscal year.